



UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte URSULA ZIEGLER, KLAUS KURZ, FRANK REIL,
FRITZ A. SCHMIDT and RUDI HERBST

Application 09/806,123

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on May 6, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

The contents of the file indicates that a Reply Brief was filed on July 23, 2004 and a paper entitled Reply Brief Noted by Examiner was filed November 1, 2004. In reviewing the file, the Reply Brief and the Reply Brief Noted by Examiner has not been scanned into the instant record.

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Further, a foreign patent (DE4434656) listed under "Prior Art of Record" in the Examiner's Answer filed May 21, 2004, needs a English translation.

Accordingly, it is

ORDERED that the application is being electronically returned to the Examiner to have the Reply Brief and the Reply Brief Noted by Examiner scanned into the file, for the Examiner to obtain a complete copy of the English translation for DE4434656, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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GJH

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